



Public Health Professionals Gateway

Public Health Law News

March 2022




Public Health Law Program
Center for State, Tribal, Local, and Territorial Support
Centers for Disease Control and Prevention


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Announcements


Health Care Data: Navigating Legal and Operational Challenges | Virtual Event

The American Health Law Association is hosting a **one-day, virtual** program on **April 13** titled “Health Care Data: Navigating Legal and Operational Challenges.” The program will feature field experts discussing regulatory developments, compliance, privacy, and more as they pertain to health care data. [Read more and register](#) .


Webinar | E-Cigarette Regulation

The Mitchell Hamline School of Law’s Public Health Law Center is offering a webinar on **March 31** at **noon (EDT)** titled “Changing the Game Redux: An Updated Playbook for E-cigarette Regulation at the State and Local Level.” The webinar will cover the latest changes to e-cigarette regulation, federal regulatory changes, as well as updates to the Policy Playbook for E-cigarettes. [Learn more and register](#) .


Job Opportunity | Associate Consultant, Crowell & Moring International LLC

Crowell and Moring International LLC is seeking applicants for an associate consultant in global health. This consulting firm specializes in global government relations, public policy, and public affairs. The position is **currently virtual** but will return to **in-person in Washington, DC**, as health conditions permit. The candidate will support the firm’s goals of crafting unique public policy initiatives and shaping the international regulatory landscape. [Learn more and apply](#) .


Job Opportunity | Senior Associate, Georgetown University Law Center

The Center for Transformational Health Law at the O'Neill Institute, Georgetown University Law Center, in **Washington, DC**, is seeking applicants for an open senior associate position. This role involves global health law research projects, grant writing, and supervision of student, research assistant, and associate research projects. Applicants should have a doctorate, JD, or JD/MPH. [Learn more and apply](#) .

Summer Law Clerkships | The Network for Public Health Law


The Network for Public Health Law is seeking applicants for **three** summer law clerk positions. This **remote position** will be 8–10 weeks of full-time work, with a desired start date of late May. Law clerks will work with either the Mid-States Region Office, the Harm Reduction Legal Project, or the Southeast Region Office. Law clerks will also work with Network attorneys on various public health legal topics. Applications are due by **March 18 at 5:00 pm (EDT)**. [Read more and apply](#) .

Call for APHA 2022 Law Section Abstracts


The American Public Health Association (APHA) Annual Meeting and Expo will take place **November 6–9** in **Boston**. This year's theme is "150 Years of Creating the Healthiest Nation: Leading the Path Toward Equity." Abstracts may be submitted now through **April 30**. [Learn more](#) .

Tribal Announcements


Job Opportunity | Native American Program of New Mexico Legal Aid

New Mexico Legal Aid is seeking applicants for two staff attorney positions within the Native American Program (NAP) in **Santa Ana, New Mexico**. NAP staff attorneys represent individuals living on or near the 19 Pueblos and/or Mescalero Apache Nation. Client representation is primarily in the Pueblo Courts of New Mexico on a variety of issues. Applicants should be licensed in New Mexico. [Learn more and apply](#) .

National Tribal Public Health Summit | Virtual Event

The National Indian Health Board is hosting the National Tribal Public Health Summit virtually on **May 9–12**. The conference will feature workshops and roundtable discussions on featured topics including climate change and environmental health, health promotion and disease prevention, mental and behavioral health, and more. [Learn more and register](#) .

Tribal Public Health Conference | Virtual Event



The Southern Plains Tribal Health Board and 7th Generation are hosting the Tribal Public Health Conference **virtually on April 19–21**. The conference theme is "Community: Rising to a Changing Public Health Climate." The conference will feature more than 40 presenters, awards and gratitude ceremonies, and tracks including the pandemic, policy and advocacy, maternal and child health, and more. [Register today](#) .

Legal Tools & Training


CDC Resource for Vaccination Laws

The Public Health Law Program (PHLP), within CDC's Center for State, Tribal, Local, and Territorial Support, has updated a resource on its website that includes current state vaccination laws, state healthcare worker, and patient vaccination laws organized by disease and state school vaccination laws, as well as a polar graph of state school vaccination exemption laws. [Learn more](#).


Public Health Law Academy Training | Administrative Law & Health Equity Series

The Public Health Law Academy offers a new, three-part series on creating, implementing, and enforcing public health laws. The first training ([What Legal Powers Do Health Departments Have?](#) ) and the second training ([How Do Health Departments Create Regulations, Policies & Guidance Documents](#) ) are available now and the third training is coming soon.


Report on Strategies for Slowing Health Care Cost Growth

The Commonwealth Fund released a report titled “State Strategies for Slowing Health Care Cost Growth in the Commercial Market.” This report highlights public concerns around the increasing cost of health care and policymaker implementations to address the problem. The report includes 10 strategies for addressing these costs. [Read the report](#) .


Training | Becoming Better Messengers

The Network for Public Health Law has created a training titled “Becoming Better Messengers.” The training focuses on the importance of effective messaging in public health, particularly when implementing changing public health laws and policies. The training includes articles, interviews, and video, in addition to links to previous webinars and presentations on the topic. [Take the training](#) .


Database of US E-Cigarette Regulations

The Mitchell Hamline School of Law has created a database on current e-cigarette regulations in all 50 states, Washington DC, and five US territories. The database offers the option to look at regulation by state or territory, as well as the option to look at different regulation topic areas, such as taxing or product packaging. [Explore the database](#) .


Health Affairs Journal Article | Racism and Health

The February 2022 issue of *Health Affairs* features an article that discusses the complex histories of subgroups of the “monolithic racial category of ‘Asian American’” and the impact on health. It also discusses the roles of colonialism and racism as well as health disparities specific to Asian American subgroups. Entitled “Addressing the Interlocking Impact of Colonialism and Racism on Filipinix/a/o American Health Inequities,” the article was written by Melanie D. Sabado-Liwag, et al. [Read the article](#) .


Registration Open for the Health Law Professors Conference | Phoenix

The Sandra Day O’Connor College of Law at Arizona State University is hosting the 45th annual Health Law Professors Conference. The conference will take place **June 1–3** in **Phoenix**. Conference session topics include *Teaching Health Law in Practice & Via Medical Legal Partnerships*, *Teaching Public Health Law to MPH Students*, *Ethical Conundrums on the Frontlines of Health Policy*, and more. [Register today](#) .


Registration Open for the NACCHO 360 Conference | Virtual & Atlanta

Registration is open for the National Association of County and City Health Officials (NACCHO) 360 Conference. The conference is scheduled to be held virtually and in-person **July 19–21** in **Atlanta**. The theme is “Looking to the Future: Reshaping the Public Health System” and will explore innovative and traditional approaches to restructure the public health system. Early-bird registration ends **June 6**. [Register today](#) .

Registration Open for the Public Health Law Summit | Baltimore

The Network for Public Health Law is hosting the 2022 Public Health Law Summit on **April 25–27**. It’s scheduled to be held in-person in **Baltimore** and the theme for this year is “Strengthening Protections for Community Health.” Featured topics include *Jacobson v. Massachusetts* and the balance between public health and individual liberties, preemption and its impact on the role of public health officials, current legal challenges to public health measures, and more. [Register today](#) .

Top Story

Tribal: [Bureau of Indian Affairs releases blueprint for implementation of \\$466 million in bipartisan infrastructure law funding for Indian Country](#) 

Indian Country Today (02/17/2022)

Story Highlights

On February 16, the Bureau of Indian Affairs (BIS) submitted an initial spend plan to Congress, aiming to directly fund various tribal communities in the United States through community intervention, infrastructure updates, and clean drinking water access expansion. The Bipartisan Infrastructure Law provides \$466 million to the BIS to support these tribal communities nationwide through fiscal year 2026.

Within the \$466 million, \$216 million is designated for climate resilience programs, including \$130 million for community relocation and \$86 million for climate resilience and adaptation projects. Climate-related challenges like flooding, erosion, sea level rise, storm surges, and more are causing threats to indigenous communities' economies, infrastructure, livelihoods, and health.

The remaining amount, \$250 million, is designated for water and health infrastructure, with subcategories for irrigation and power systems, dam safety, and water sanitation safety compliance.

Bryan Newland, Assistant Secretary for Indian Affairs, called funding for this law "essential to advancing the all-of-government approach to supporting and empowering tribal communities as they simultaneously face environmental impacts to the physical, cultural, and subsistence-based infrastructure and relocate to higher ground."

[Editor's note: Read about [tribal health](#).]

Briefly Noted

New York: [New York City's air quality is improving—but it still isn't healthy enough](#) 

Gothamist (02/08/2022) Rosemary Misdary

[Editor's note: Learn about [air quality and health](#).]

New York: [New York to require licensure of pharmacy benefit managers](#) 

National Law Review (02/25/2022)

Texas: [Texas schools must now teach students how to spot abuse—if their parents allow](#) 

The 19th (02/28/2022) Nadra Nittle

[Editor's note: Read [Texas's SB9](#)  and learn about [intimate partner violence](#).]

Washington: [Do no harm: King County board of health repeals inequitably enforced bicycle helmet law](#) 

South Seattle Emerald (02/21/2022) Sarah Goh

[Editor's note: Learn more about [equitable enforcement](#) .]

Tribal: [Alaska tribal court jurisdiction would expand under US bill](#) 

Indian Country Today (02/16/2022) The Associated Press

[Editor's note: Explore [CDC's Tribal Public Health Law resources](#).]


Tribal: ['American Diagnosis' episode 3: Uranium mining left Navajo land and people in need of healing](#)

Kaiser Health News (02/15/2022) Celine Gounder

[Editor's note: Read a [Worker Health Study Summary](#) on uranium miners.]

National: [Court sets aside key parts of no surprises act rule](#) 

Health Affairs (02/24/2022) Katie Keith

[Editor's note: Read about the [No Surprises Act](#) .]

National: [4 US companies will pay \\$26 billion to settle claims they fueled the opioid crisis](#) 

NPR (02/25/2022) Brian Mann

[Editor's note: Read about the [Opioid Overdose Epidemic](#).]

Kuwait: [Kuwait overturns law criminalising 'imitation of opposite sex'](#) 

BBC News (02/16/2022)

[Editor's note: Read about [lesbian, gay, bisexual, and transgender health](#).]

Switzerland: [Swiss approve tobacco ad ban long after neighbours](#) 

BBC News (02/13/2022) Imogen Foulkes

[Editor's note: Read about [tobacco industry marketing](#).]

World: [How to clear the air in the most polluted cities on earth](#) 

Vox (02/20/2022) Siobhan McDonough

[Editor's note: Read about [air pollution](#).]

Court Filings & Opinions

Ohio:

Relator Therese Worthington ("Relator") sought a writ of mandamus from Respondent Ohio Public Employees Retirement System ("Respondent") to rescind the retroactive revocation of Relator's health insurance. Relator's health insurance was retroactively rescinded for the period of March 2018 to June 2018. Relator became a member of the Ohio Public Employees Retirement System (OPERS) in 1978 through her employment, and her OPERS membership extended from February 2005 to November 30, 2017, due to her employment through Ohio State University (OSU). On November 30, 2017, Relator retired from OSU, with retirement benefits starting December 1, 2017. On February 6, 2018, Relator accepted a teaching position with OSU as an independent contractor and remained in this contract until June 29, 2018. Due to this period of employment as an independent contractor, Respondent found that Relator was not eligible for her retirement benefits and healthcare coverage for the period of employment.

The court referred this matter to the magistrate of the court, who determined that Relator failed to show a right to healthcare coverage for the period of March 2018 and June 2018 and that Relator failed to show OSU has a legal duty to remedy this coverage gap. Thus, the magistrate recommended that the writ be denied and the court adopted the decision, denying Relator's request for a writ of mandamus.

[State ex rel. Therese Worthington v. The Ohio Public Employees Retirement System et al.](#) 

Court of Appeals of Ohio, Tenth District, Franklin County

No. 20AP-425

Decided February 24, 2022

Opinion by Luper Schuster, P.J.

COVID-19 Court Filings & Opinions

Florida

Nearly every segment of society has been impacted, in one way or another, by the COVID-19 pandemic. Higher education is no exception. Throughout the state of Florida, many colleges and universities took measures to promote the health and safety of their students, faculty, and staff in the early days of the pandemic. These efforts—which often involved the online delivery of educational services and limited access to campus facilities—have been met with increased litigation. To stem this tide of COVID-related litigation, the Florida Legislature and the Governor responded by immunizing colleges and universities from liability via the passage of section 768.39—the Florida Immunity Statute for Educational Institutions for Actions Related to the COVID-19 Pandemic ("Immunity Statute").

[Leo Ferretti, individually and on behalf of all others similarly situated v. Nova Southeastern University, Inc.](#) 

United States District Court, S.D. Florida

No. 20-CIV-61431-RAR

Decided February 16, 2022

Opinion by Rodolfo A. Ruiz, D.J.

Quiz Question: March 2022

Question: CDC's Public Health Law Program recently updated its [Vaccination Law](#) resource. What are the school vaccination exemption laws in your state?

Last Month's Quiz Answer

Question: What is the final day to submit an abstract for the APHA Annual Meeting and Expo?

Answer: April 30. [Learn more about submitting a Law Section abstract](#) .

Quote of the Month

"Government policies and regulations have brought down the levels of PM2.5 pollution, but they are still at levels where they can cause significant damage, particularly in children because they are still developing their respiratory systems."

[Editor's note: This quote is from the above article [New York City's air quality is improving—but it still isn't healthy enough](#) , Gothamist, Rosemary Misdary (02/08/2022)]

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